

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THOMAS D. GILLIS

Plaintiff(s)

v.

CIVIL ACTION NO. 03-12389-GAO

SPX CORPORATION INDIVIDUAL RETIREMENT PLAN and SPX RETIREMENT ADMINISTRATIVE COMMITTEE

Defendant(s)

JUDGMENT IN A CIVIL CASE

O'TOOLE, D.J.



Jury Verdict. This action came before the court for a trial by jury. The issues have been tried and the jury has rendered its verdict.



Decision by the Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

Pursuant to the court's Memorandum and Order, dated March 31, 2007, the SPX Retirement Plan does not violate ERISA's anti-cutback, merger or age discrimination provisions, and the manner in which the defendants administered the plan did not violate any fiduciary duty they might have owed to Gillis. For these reasons, the defendants' Motion for Summary Judgment is GRANTED and Gillis' Motion for Summary Judgment is DENIED. Finally, having considered the factors set forth in Cottrill v Sparrow, Johnson & Ursillo, Inc., 100 F.3d 220,225 (1st Cir. 1996), I conclude that neither Gillis nor the defendants are entitled to the award of attorneys fees.

SARAH A. THORNTON,
CLERK OF COURT

Dated: March 31, 2007

By Paul S. Lyness
Deputy Clerk

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